



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/650,504	08/29/2000	Charles M. Link II	BELL-0018/99208	8568
38952	7590	01/24/2006	EXAMINER	
WOODCOCK WASHBURN LLP ONE LIBERTY PLACE - 46TH FLOOR PHILADELPHIA, PA 19103			FERGUSON, KEITH	
			ART UNIT	PAPER NUMBER
			2683	
DATE MAILED: 01/24/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action  
Before the Filing of an Appeal Brief**

Application No.

09/650,504

Applicant(s)

LINK ET AL.

Examiner

Keith T. Ferguson

Art Unit

2683

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 17 October 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☐ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.  
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL**

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

**AMENDMENTS**

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ They raise the issue of new matter (see NOTE below);  
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.

6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: 1-22.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

**AFFIDAVIT OR OTHER EVIDENCE**

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

**REQUEST FOR RECONSIDERATION/OTHER**

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet.

12. ☒ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). \_\_\_\_\_

13. ☐ Other: \_\_\_\_\_.

**KEITH FERGUSON  
PRIMARY EXAMINER**  
*Keith Ferguson*

Continuation of 11. does NOT place the application in condition for allowance because: Argument: During an interview on October 11, 2005, it was discussed regarding claim 1, that the predetermined toll free number and the desired number are necessarily different, but the Office Action relied on "Lehmacher" the universal toll free number is being both. Explanation: The examiner respectfully disagrees with applicant. Examiner made a 103 rejection using the Spradlin reference to teach a telephone switching office translates (i.e. converts) a toll free number to a regular telephone corresponding to a home service location to which it routes the call (i.e. the toll free number and the desired number are different numbers)(see office action and col. 8 line 63 through col. 9 line 9 of Spradlin). Argument: Regarding claim 1, applicant alleges that Lehmacher IFN is simply the universal toll free number being dialed by the caller when in the foreign market, thus the IFN or universal toll free number is not being provided in response to a customer validation request. Explanation: The examiner agrees with applicant that the IFN is the universal toll free number, however, when a subscriber dial a toll free number the foreign exchange checks the subscriber profile (i.e. the foreign exchange validates the subscriber toll free number) within the VLR, a inquiry is sent to the service unit SERV which determines a toll free number and returns this call number as a response to the home EX1 which replaces the subscriber toll free number with a local toll free number number and routes the connection request (see col. 6 lines 19-50). Argument: Regarding claims 2,12,13 and 18, applicant alleges the validation request from the foreign market includes the desired number. Explanation: Examiner agrees with applicant. The desired number is the local call toll free number which provides free service or FREE\_SERV (see col. 6 lines 37-48). Argument: Regarding claim 18, applicant alleges the wireless device of Lehmacher does not have instructions for receiving the destination number to which the call is ultimately complete. Explanation: The examiner agrees with applicant, however, claim 18 does not recite "the wireless device does not have instructions for receiving the destination number to which the call is ultimately complete. Regarding claim 22, applicant alleges the foreign market of Lehmacher is entirely unaware of the desire number, where the desire number is the number to which the call is to be completed. Explanation. Examiner agrees with applicant, however, the home network knows the desire number or the local toll free number which completes the call request. Argument: Applicant alleges the desire number is said to be a toll based call with respect to the out of market customer. Explanation: The examiner agrees with applicant, however, the subscriber call is made in a foreign market (KN1) and the foreign market must communicate with the subscriber home location (KN2) to find a toll free number such as a local toll free number which provides free service when completing the call.